

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA  
CLARKSBURG**

**CYNTHIA D. PAJAK,**

**Plaintiff,**

**v.**

**UNDER ARMOUR, INC.,  
UNDER ARMOUR RETAIL, INC.,  
AND BRIAN BOUCHER,**

**Defendants.**

**Civil Action No. 1:19-CV-160  
(JUDGE KEELEY)**

**MEMORANDUM OPINION AND ORDER DENYING AS MOOT DEFENDANTS  
UNDER ARMOUR, INC. AND UNDER ARMOUR RETAIL, INC.'S MOTION TO  
MODIFY THIRD-PARTY SUBPOENA DUCES TECUM [ECF NO. 189]**

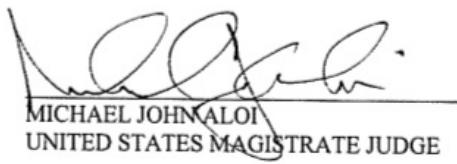
This matter is before the undersigned pursuant to a Referral Order [ECF No. 194] entered by Honorable Senior United States District Judge Irene M. Keeley on January 8, 2021. By this Referral Order, Judge Keeley referred Defendants Under Armour, Inc. and Under Armour Retail, Inc.'s Motion to Modify Third-Party Subpoena Duces Tecum [ECF No. 189] to the undersigned for a hearing and disposition. The undersigned also is in receipt of Plaintiff's response [ECF No. 201], thereto, filed on January 13, 2021.

At a hearing before the undersigned on January 14, 2021, counsel for Plaintiff and Under Armour indicated that they had reached a resolution of the issues raised in Under Armour's motion.

Accordingly, based on the foregoing, Under Armour's motion [ECF No. 189] is **DENIED as moot**. It is so **ORDERED**.

The Court directs the Clerk of the Court to provide a copy of this Order to any parties who appear *pro se* and all counsel of record, as provided in the Administrative Procedures for Electronic Case Filing in the United States District Court for the Northern District of West Virginia.

**DATED:** January 15, 2021.



MICHAEL JOHN ALOIA  
UNITED STATES MAGISTRATE JUDGE